

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 07-CR-109

-vs-

DANIEL R. GIANNINI,

Defendant.

DECISION AND ORDER

The Court has received and read the Recommendation of Magistrate Judge Patricia J. Gorence denying the defendant's Motion to Dismiss the Indictment, the defendant's objection to the Recommendation, and the government's response to the defendant's objection, and rules as follows.

The Court accepts the conclusion of the Magistrate Judge and the reasoning supporting same. The indictment charges wire fraud and the facts places these charges within the period of the statue of limitations.

The defendant's Motion to Dismiss the Indictment is **DENIED**.

Dated at Milwaukee, Wisconsin, this 24th day of September, 2007.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
Chief Judge